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50X1-HUM

SUPPLEMENT TO
REPORT NO.

THIS IS UNEVALUATED INFORMATION

SOVIET CRIMINAL COURT CASES, 1949 - 1950

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Figures in parentheses refer to appended sources.

Number

RSFSR	19
Armenian SSR	5
Azerbaijdzhan SSR	5
Belorussian SSR	1
Estonian SSR	5
Georgian SSR	29
Karelo-Finnish SSR	1
Kazakh SSR	7
Kirgiz SSR	3
Latvian SSR	2
Lithuanian SSR	11
Moldavian SSR	12
Tadzhik SSR	16
Uzbek SSR	11
Unidentified	2
Total	129

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CLASSIFICATION											
STATE	EV	X	NAVY	X	NSRB	DISTRIBUTION					
ARMY		X	AIR	X	FBI						

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B. Types of Crimes and Number of Sentences Imposed

<u>Crime</u>	<u>No of Cases</u>	<u>No of Sentences</u>
1. Embezzlement, swindling	45	130
2. Burglary, larceny	19	61
3. Inefficiency, negligence, poor production, poor organization, antistate attitude	14	29
4. Speculation	14	41
5. Drunkenness resulting in death, personal injury, or damage	10	13
6. Hooliganism (disorderly conduct, assault, etc.)	7	10
7. Robbery	4	9
8. Contempt of court	4	4
9. Violation of kolkhoz statutes	3	8
10. Divulging military secrets	2	2
11. Failure to pay taxes	2	2
12. Murder	1	1
13. Violation of hunting regulations	1	3
14. Bigamy	1	-
15. Rudeness to wife	1	1
16. Failure to diagnose illness correctly	1	2
Total	129	316

C. Types of Crimes by RepublicsRSFSR

	<u>No of Cases</u>
Embezzlement, swindling	7
Burglary, larceny	3
Inefficiency, negligence, poor production, poor organization, antistate attitude	1
Drunkenness resulting in death, personal injury, or damage	3
Hooliganism	3
Robbery	1
Violation of hunting regulations	1
Total	19

Armenian SSR

Embezzlement, swindling	1
Burglary, larceny	2
Inefficiency, etc.	1
Speculation	1
Total	5

Azerbaijdzhan SSR

Embezzlement, swindling	1
Inefficiency, etc.	1
Speculation	2
Contempt of court	1
Total	5

Belorussian SSR

Embezzlement, swindling	1
Total	1

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No of
CasesEstonian SSR

Embezzlement, swindling
Burglary, larceny
Inefficiency, etc.
Failure to pay taxes
Total

1
1
1
2
5

Georgian SSR

Embezzlement, swindling
Burglary, larceny
Inefficiency, etc.
Speculation
Drunkenness resulting in death, personal injury, or damage
Hooliganism
Robbery
Murder
Total

13
3
3
4
3
1
1
1
29

Karelo-Finnish SSR

Hooliganism
Total

1
1

Kazakh SSR

Embezzlement, swindling
Burglary, larceny
Hooliganism
Violation of kolkhoz statutes
Total

3
2
1
1
7

Kirgiz SSR

Drunkenness resulting in death, person injury, or damage
Total

3
3

Latvian SSR

Embezzlement, swindling
Total

2
2

Lithuanian SSR

Embezzlement, swindling
Burglary, larceny
Inefficiency, etc.
Speculation
Robbery
Total

2
3
2
3
1
11

Moldavian SSR

Embezzlement, swindling
Burglary, larceny
Inefficiency, etc.
Contempt of court
Failure to diagnose illness correctly
Total

4
3
1
3
1
12

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Cases

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Tadzhik SSR

Embezzlement, swindling	4
Burglary, larceny	2
Inefficiency, etc.	4
Drunkenness resulting in death,	
personal injury, or damage	1
hooliganism	1
Robbery	1
Violation of kolkhoz statutes	1
Bigamy	1
Rudeness to wife	1
Total	16

Uzbek SSR

Embezzlement, swindling	6
Speculation	4
Violation of kolkhoz statutes	1
Total	11

Unidentified

Divulging military secrets	2
Total	2

D. Nature of Crimes and Penalties Imposed

Lenin once wrote: "In a capitalist society the court is primarily an instrument for suppression, an instrument for bourgeois exploitation. It was, therefore, the bounden duty of the proletarian revolution not to reform judicial institutions (the goal to which the Kadets and their 'yes men,' the Mensheviks and Right Social Revolutionaries, limited themselves), but to destroy them completely, to sweep the old court and its apparatus from the face of the earth. The October Revolution was successful in carrying out this task. It set about to erect in place of the old court, a new people's court, or, better still, a Soviet court, founded on the principle of participation of the workers and exploited classes -- and only these classes -- in the administration of the state.

"First of all, the new court was necessary for the struggle against the exploiters who were trying to re-establish their rule, defend their privileges, or surreptitiously and deceitfully retain some remnants of their privileges. If the courts are really to be organized on Soviet principles, however, they are faced with a greater task. This is the maintenance of the strictest discipline and self-discipline among the workers. We would be ridiculous Utopians if we imagined that this task could be accomplished on the very day after the fall of the bourgeois state, i.e., in the first stage of the transition from capitalism to socialism, or that it could be accomplished at all, without coercion. Such a goal is unattainable without coercion. We need a state and we need coercion, and Soviet courts must be the organs of the proletarian state that exercise this coercion. They are faced with the tremendous task of educating the population to labor discipline." (1)

The following section discusses the various types of sentences imposed for various classes of crimes. Over-all figures are given for each type of crime, and cases thought to be typical or of special interest are presented in detail. Wherever possible, penalties for similar crimes under laws of the State of Ohio and of the United States are given for comparison.

1. Embezzlement and Swindling (130 sentences)a. Imprisonment (17 sentences)

I. Dembskiy, posing as a construction engineer, and A. Krubich, posing as his representative, swindled the public out of 64,869 rubles. Krubich introduced clients to Dembskiy, who undertook to build dachas (cottages) and garages for them. Many clients signed contracts with Dembskiy and made large down-payments. The two criminals possessed forged documents which led innocent citizens, including

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doctors and professors, to believe that their agreements were valid. The Mosk-voretzkiy Rayon People's Court, Moscow, Judge Letunova presiding, heard the case. Dembskiy was sentenced to 3 years' imprisonment for swindling and forgery. Krubich received a 2-year prison sentence for swindling.(2)

This is the lightest prison sentence reported for embezzlement or swindling, probably because personal, rather than state, property was involved.

Gulyam Zaripov, chairman of the Kolkhoz imeni Molotov, and Talibov, cashier of the same kolkhoz, were convicted of falsifying their records and thereby embezzling 20,000 rubles' worth of food from the kolkhoz. The case was tried by the Circuit Session (vyyezdnaya sessiya) of the Supreme Court, Tadzhik SSR. Zaripov was sentenced to 14 years' imprisonment and 5 years' loss of civil rights after serving the sentence. Talibov received 10 years' imprisonment and 3 years' loss of rights thereafter.(3)

The 1948 audit of the rural cooperative store in Lagodekhi, Georgian SSR, revealed a considerable loss of goods and state property. Over a period of 3 years the head of the store, L. R. Saakova, and two salesmen, A. G. Gogasashvili and G. N. Tsabutashvili, had embezzled 949,383 rubles. D. S. Simonishvili, chairman of the trade section of the Lagodekhskiy Rayon Consumer's Union, and I. I. Khelavshvili, chairman of the trade section of the Lagodekhskiy Rayon Soviet, both had connived in juggling the books to cover the embezzlement. Saakova, Simonishvili, and Khelavshvili were each sentenced to 20 years' imprisonment with confiscation of personal property and loss of civil rights for 5 years. Gogasashvili was sentenced to 17 years' imprisonment and loss of civil rights for 4 years thereafter. Tsabutashvili's sentence was 10 years' imprisonment, loss of civil rights for 2 years, and confiscation of property. Other workers whose inactivity had helped the criminals received various sentences. Sentences were passed by the collegium of the Lagodekhi Court, Supreme Court, Georgian SSR.(4)

N. I. Mamatsashvili, director of the Tbilisi Food Sales Organization, and several other officials were convicted of embezzling 750,000 rubles' worth of state property. Mamatsashvili was sentenced to 25 years' imprisonment, 5 years' deprivation of rights, and confiscation of personal property. His assistant, V. G. Gol'shteyn, was sentenced to 10 years' imprisonment, 5 years' deprivation of rights, and confiscation of property. Two other employees received the same sentence as Gol'shteyn. V. M. Tar-Grigor'yan, deputy director of store No 10 of the Tbilisi Food Sales Organization, was sentenced to 3 years' imprisonment.(5)

The sentence passed on Mamatsashvili is the most severe prison sentence reported for embezzlement or swindling. Embezzlement of property in the US is punishable under Federal law by a fine of not more than 5,000 dollars or imprisonment for not more than 5 years, or both (US Code 18:100). Embezzlement of property of the State of Ohio, with intent to defraud, is punishable by a fine of not more than twice the value of the property embezzled, plus imprisonment for not less than one year and not more than 21 years, with removal from office, in the case of an official (Ohio Code 12880).(6)

b. Deprivation of Freedom (83 sentences)

A Tbilisi court sentenced a bread salesman to 1½ years' deprivation of freedom for cheating a customer.(7)

P. K. Sheptikin, chairman of the "Krasnaya Armiya" Kolkhoz, Goriopol'skiy Rayon, Moldavian SSR, his assistant, Ye. Bogatyy, and Brigade Leaders S. M. Yerofeyev and V. T. Kosarehi organized a group which systematically robbed the kolkhoz over a long period of time. In the course of their nefarious activities, they drew up a large number of fraudulent documents. M. D. Golub, the kolkhoz bookkeeper, did not check on these documents because he, too, had an interest in the illegal proceedings. This group of thieves was indicted under

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On 4 June 1947 ukase "On Criminal Responsibility for Plundering State and Public Property." The Supreme Court, Moldavian SSR, sentenced Sheptikin to 15 years in a corrective labor camp, Bogatyy to 10 years, Yerofeyev to 8 years, and Kosarechi to 3 years. Golub was sentenced to one year's deprivation of freedom with confiscation of property.(8)

The sentences passed on the Tbilisi bread salesman and on Golub the bookkeeper are the lightest deprivation-of-freedom sentences passed for embezzling or swindling.

R. G. Oganov, stationmaster at Kumisi, Georgian SSR, was convicted of embezzling money received through the sale of railroad tickets. He was sentenced by the Line Court of the Transcaucasus Railroad System to 10 years' deprivation of freedom, loss of rights for 3 years thereafter, and confiscation of property.(9)

The name of Nikolay Lomakin, a locksmith, appeared on the records of two different plants. He was shown as drawing wages from both, although, in reality, he worked at neither. His father, a superintendent at both plants, was the organizer of this fraud. A certain Mikhalkinskiy, a friend of the Lomakins, was also fictitiously employed. The collegium for criminal cases, Leningrad City Court, sentenced the senior Lomakin to 15 years' deprivation of freedom. Nikolay Lomakin and Mikhalkinskiy were each sentenced to 10 years' deprivation of freedom.(10)

The head of the assembly shop of a Baku plant of the Ministry of Light Industry, one Davidyan, and two accomplices were convicted of padding pay-rolls. They advertised for qualified workers by posting signs at the plant entrance. They would accept applications and then list the applicants as full-time employees. The applicants would be informed that they would be called in the future. Davidyan and his accomplices also overpaid some of their friends. The chief engineer of the plant and the chief accountant were paid for cooperating with Davidyan. The collegium for criminal cases, Supreme Court, Azerbaydzhan SSR, heard the case and sentenced Davidyan to 25 years' deprivation of freedom and loss of rights for 5 years after serving his sentence. The two accomplices were sentenced to 15 years' deprivation of freedom. The chief engineer received 6 years' deprivation of freedom; the chief accountant, 3 years. Other workers at the plant were charged with criminal responsibility for embezzling state property.(11)

The sentence passed on Davidyan was the most severe deprivation-of-freedom sentence reported for cases of embezzlement or swindling.

c. Corrective Labor Camp (29 sentences)

The chairman, the bookkeeper, the cashier, and the auditing commission chairman of a kolkhoz in Moldavia were convicted of embezzling kolkhoz funds. They falsified the kolkhoz books, overpaid themselves, took money from the kolkhoz bank, and used kolkhoz property without authorization. The kolkhoz chairman embezzled 49,925 rubles worth of goods; the bookkeeper stole 56,695 rubles. The kolkhoz chairman built a new house with the money he embezzled. He and the bookkeeper were sentenced by the Supreme Court, Moldavian SSR, to 20 years in a corrective labor camp with confiscation of property. The cashier received 8 years in a corrective labor camp. The auditing commission chairman was sentenced to one year's corrective labor at place of work with one fourth of his pay withheld.(12)

The sentence given the cashier -- 8 years -- is the lightest corrective-labor-camp sentence passed for embezzlement or swindling.

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The Volga Railroad Okrug Court convicted several workers of embezzling about 218,000 rubles' worth of state property over a period of 2 years from the Workers' Supply Section of the Kuybyshev Railroad System. Klimashina, the head of the warehouse, was sentenced to 25 years in a corrective labor camp. Muzalevskaya, head of store No 25 of the Workers' Supply Section; Tryapkin, worker in the same store; and Neumoynov, a former convict, were each sentenced to 15 years' deprivation of freedom. Nikitin, Vel'kin, Kochin, and Vesnin, workers in the store, were each sentenced to 10 years' deprivation of freedom.(13)

The chief of the oil storehouse of Benderskaya MTS, Moldavian SSR, one Bandyk, was convicted of regularly short-weighting tractor drivers. The chairman of the village cooperative and the director of a store were involved with Bandyk in the theft of more than 3,000 liters of combustibles and lubricating materials. The People's Court, Benderskiy Rayon, sentenced Bandyk to 25 years in a corrective labor camp, loss of rights for 5 years thereafter, and confiscation of personal property. Pavlenko, chairman of the village cooperative, was sentenced to 15 years in a corrective labor camp with confiscation of personal property. Braylovskaya, the store director, received 12 years in a corrective labor camp and confiscation of property. The case was appealed, but the Supreme Court, Moldavian SSR, upheld the decision of the People's Court.(14)

The sentence passed on Bandyk is the most severe corrective-labor sentence reported for embezzlement or swindling.

d. Corrective Labor at Place of Work (one sentence)

The only person reported given this type of sentence was the auditing commission chairman of the kolkhoz in Moldavia, who was sentenced to one year's corrective labor with one fourth of his pay withheld. (See above, first case described under sentences to corrective labor camp.)

2. Burglary and Larceny (61 sentences)

a. Imprisonment (ten sentences)

A band of thieves which had been operating in and around Tbilisi was apprehended and brought to trial. The culprits were tried by the collegium for criminal cases, Georgian SSR, Judge Sh. Lekveyshvili presiding. The prosecutor was A. Nodiya. Two of the thieves were sentenced to 25 years' imprisonment and 5 years' deprivation of rights thereafter. Three received 20 years' imprisonment and 5 years' deprivation rights, and two others were sentenced to 15 years' imprisonment and 5 years' deprivation of rights.(15)

In January 1950, A. Karpenko was apprehended while stealing a cow from a barn. Investigation revealed that he had been engaged in such activities for some time, and that in one year he had committed 13 thefts. His wife, V. Nikishova [sic], disposed of the meat of the stolen animals. Ten thousands rubles in cash and 37,000 rubles in government bonds were found in the home of the two criminals. The Stalinabad Oblast Court sentenced Karpenko to 25 years' imprisonment and Nikishova to 15 years' imprisonment. All the property of the couple was confiscated.(16)

A "dangerous band of criminals" was active in stealing sugar, confections, and butter in Moscow. They were very clever and were experienced in handling food products. They used different vehicles for every job they undertook. They were finally apprehended and brought to trial. The two leaders were each sentenced to 25 years in a corrective labor camp, and the garage worker who furnished the vehicles was sentenced to 25 years in prison. The sentences were passed by the [Moscow] City Court, Circuit Session, Chairman Orlova presiding. The prosecutor was the young Ratmirov.(17)

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The lightest imprisonment sentence reported for burglary or larceny was 15 years. In one case the sentence was accompanied by 5 years' deprivation of rights, and in another by confiscation of all property. The most severe imprisonment sentence reported for burglary or larceny was 25 years. In two cases the sentence was accompanied by 5 years' deprivation of rights, and one by confiscation of property.

In Ohio, the stealing of property of more than 35 dollars in value is punishable by imprisonment for not less than one year and not more than 7 years (Ohio Code 12447). The stealing of property of more than 50 dollars in value is punishable under Federal law by a fine of not more than 10,000 dollars or imprisonment for 10 years, or both (US Code 18:466).(18)

b. Deprivation of Freedom (11 sentences)

L. Kyryarv was convicted of stealing a sheep on the night of 5 August 1949. The Kuressaar People's Court (Estonia) sentenced him to 6 years' deprivation of freedom.(19) This is the lightest deprivation-of-freedom sentence given for burglary or larceny.

The ticket agent in the Tbilisi Railroad Station was convicted of regularly stealing articles from the lost-and-found collection which was kept in the conductor's room. He was sentenced by the Line Court of the Transcaucasus Railroad System to 10 years' deprivation of freedom, confiscation of property, and loss of rights for 5 years.(20)

Five members of the "Shorkishka" Kolkhoz, Kayshyadorskiy Rayon, Kaunas Oblast, Lithuanian SSR, were convicted of stealing 2 tons of hay belonging to the kolkhoz. Two of them were sentenced to 18 years' deprivation of freedom with confiscation of property, two received 10 years' deprivation of freedom with confiscation of property, and one received 8 years' deprivation of freedom with confiscation of property.(21) The sentence of 18 years with confiscation of property is the most severe deprivation-of-freedom sentence passed for burglary or larceny.

c. Corrective Labor Camp (38 sentences)

Two workers were sentenced by the People's Court, Second Section, Luzhskiy Rayon, Leningrad Oblast, to 8 years in a corrective labor camp. They were convicted of stealing seed grain from kolkhoz storage bins.(22) This was the lightest corrective-labor-camp sentence reported for burglary or larceny.

A gang of thieves committed a number of robberies in Kolomenskiy, Lukhovitskiy, and Voskresenskiy rayons, Moscow Oblast. They stole 127,000 rubles' worth of goods and hid them in a truck. They were finally caught and sentenced by the Moscow Oblast Court. The two leaders each received 25 years in a corrective labor camp, three members of the gang each received 20 years, and the man who furnished the truck got 15 years.(23) The most severe corrective-labor-camp sentence reported for burglary or larceny was 25 years.

d. Corrective Labor at Place of Work (two sentences)

A. Modkevich and S. Sovlevich were convicted of "willful seizure" of kolkhoz land in Shirvintskiy Rayon, Lithuanian SSR. They were both sentenced to 6 months' corrective labor at place of work.(24) These are the only corrective-labor sentences reported for this type of crime.

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3. Inefficiency, Negligence, Etc. (29 sentences)

a. Imprisonment (five sentences)

On 15 May 1949, Sovetskaya Moldaviya published an article criticizing the quality of furniture produced by the Orgeyevskiy Timber Management. The director, the chief engineer, and the chief of technical control did not respond to this criticism and the quality of production continued to be poor. In one shipment inspected, there were 200 chairs that had been ruined in production; 500 taborets and 400 semiupholstered chairs were declared substandard. As a result, the management lost 8,000 rubles. The collegium for criminal cases, Supreme Court, Moldavian SSR, sentenced the three officials to 5 years' imprisonment each. (25)

By a ukase of the Presidium, Supreme Soviet USSR, dated 10 July 1940, it was decreed that the output of poor-quality or incomplete products, and also the output of production which is not up to standards, is a severe government offense equivalent to sabotage. The ukase provides that directors, chief engineers, and chiefs of technical control of industrial enterprises who are guilty of producing rejected, incomplete, or substandard products are subject to prosecution and sentences of from 5 to 8 years. (26)

The Supreme Court, Estonian SSR, sentenced the following officials of the Ryyvastuskombinat [Clothing Combine] for production of inferior goods and for an antistate attitude toward business: Vladimir Ivanovich Adov, director of the Ryyvastuskombinat, to 6 years' imprisonment; August Yur'yevich Ramann, chief of technical control, to 5 years' imprisonment; Vol'demar Oskarovich Pyl'dmyae, chief of technical control, to 3 years' deprivation of freedom; and Kheynrich-Yugannes Yugannovich Vikhman, chief of technical control, to one year of corrective labor in place of work with 20 percent of his pay withheld. (27)

b. Deprivation of Freedom (16 sentences)

I. A. Vasadze, head of the warehouse for the Construction Administration, [Transcaucasus Railroad System], delayed the dispatching of railroad freight cars bound for the Construction Administration. As a result, some 42 freight cars were detained longer than was called for in the schedule. Brought before the court, Vasadze sought to avoid punishment by blaming the delay on an order given him by D. V. Klardzheyshvili, deputy chief of the Tbilisi Freight Station. The Transcaucasus Railroad Court sentenced Vasadze to 14 months' deprivation of freedom and Klardzheyshvili to 4 months' corrective labor. (28) The sentence given Vasadze is the lightest deprivation-of-freedom sentence reported for inefficiency, negligence, etc.

The collegium of the Supreme Court, Azerbaydzhan SSR, under the chairmanship of Rakhimov, convicted a bus driver of negligence in a wreck in which eight persons were killed. The session of the court was open, and the republic prosecutor was in attendance. The bus driver was sentenced to 25 years' deprivation of freedom. (29) This is the most severe deprivation-of-freedom sentence reported for inefficiency, negligence, etc.

c. Corrective Labor (five sentences)

For waste in the production of matches, the director and chief engineer of the "Liyepsna" Match Factory at Kaunas were each sentenced to one year of corrective labor by the Supreme Court, Lithuanian SSR. (30) Corrective labor sentences for inefficiency, negligence, etc., reported during this period range from 4 months to 1 year with 20 percent of pay withheld.

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d. Censure (three sentences)

The "Avtomotor" Artel of the Mosgormetremsoyuz (Moscow City Industrial Cooperative Metal Repair Union) produced many worthless "Molniya" kerosene stoves and electric ranges during 1949. The kerosene stoves were not properly treated against corrosion and, as a result, they rusted quickly. The electric ranges also proved worthless. Stoves have been returned to the artel from Pyatigorsk, Ryazan', Kalinin, Sochi, and other cities. F. Serebrov, chairman of the artel, was sentenced to 5 years' deprivation of freedom by the Moscow City Court. P. Kubshinov, temporary chairman of the artel, I. Rabotyagov, the chief engineer, and V. Kul'kov, chief of the technical control section, were all censured.(31)

4. Speculation (41 sentences)

a. Imprisonment (two sentences)

During the 42 years of her life, Aleksandra Soboleva worked only 8 months. Large quantities of hidden goods were found in her home. They included 680 meters of cloth, 13 carpets, 25 men's suits, 260 sets of underwear, 43 ladies' dresses, 13 coats, 100 hats, 228 sport shirts, 18 kilograms of vaseline, 90 bars of soap, and a large number of gold bracelets, watches, chains, diamonds, etc. All told, 1,750 different articles were found. She had been engaged in acquiring these goods for years. Convicted of speculation by the People's Court, Second Section, Dzharidzevskiy Rayon, Baku city, she was sentenced to 10 years' imprisonment, 5 years' loss of civil rights, and confiscation of all property she had acquired by speculation.(32)

Employed in no socially useful work, N. S. Khachatryan, a resident of Yerevan, was engaged in speculation for the past 5 years. He would go out of the city, buy vodka from kolkhoz workers, and sell it on the open market. The People's Court, First Section, Molotovskiy Rayon, Yerevan, sentenced Khachatryan to 6 years' imprisonment and 3 years' loss of rights. The court was under the chairmanship of People's Judge A. Oganyan; the people's assessors were G. Chakhoyan and S. Oganyan.(33)

b. Deprivation of Freedom (39 sentences)

A. Z. Gubi, Sh. I. Vekua, and A. N. Machavariani were convicted of speculation in bay leaves. The People's Court, Khobskiy Rayon, Georgian SSR, sentenced Gubi to deprivation of freedom for 6 years, Vekua for 2 years, and Machavariani for 6 years.(34) This is the lightest deprivation-of-freedom sentence reported for speculation.

In Kaunas, five persons were convicted of speculation in industrial and food supplies. Two brothers were sentenced to 10 years' deprivation of freedom with confiscation of property, one person was sentenced to 8 years' deprivation of freedom with confiscation of property, and two were sentenced to 6 years' deprivation of freedom with confiscation of property.(35) The heaviest deprivation-of-freedom sentence reported for speculation was 10 years.

5. Drunkenness (13 sentences)

a. Imprisonment (three sentences)

I. Sheyko was sentenced by the Frunze Oblast Court to 25 years' imprisonment for driving while drunk and killing three pedestrians on the streets of Frunze.(36) All three imprisonment sentences (two cases) reported for drunkenness were 25 years. Both cases involved manslaughter. In the State of Ohio, killing while violating a state traffic law is punishable by a fine of not more than 500 dollars, or imprisonment for 30 days, or confinement in a penitentiary for not less than one year and not more than 20 years (Ohio Code 12404:1).(37)

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b. Deprivation of Freedom (eight sentences)

Three barges in the river at Saratov were to be dispatched under tow of the steamship Vuoksa. Ye. A. Solov'yev, skipper of Barge No 1,221, and I. I. Zhorin, skipper of Barge No 1,425, went ashore, became inebriated, and failed to appear at their ships in time for the departure. The barges were delayed a total of 112 hours, and the state lost 1,217 rubles. The Line Court, Central Volga Basin, sentenced Solov'yev to one year's deprivation of freedom, and Zhorin to 1½ years' deprivation of freedom.(38) These were the lightest deprivation-of-freedom sentences reported for drunkenness.

Truck driver Ya. M. Pyl'tsin was drunk as he drove from Frunze to Chaldovar. Intending to "make a little money on the side," he picked up several passengers. Then driving at excessive speed, he crashed into the rear of an automobile. Two of his passengers were killed, and three injured. The Frunze Oblast Court sentenced Pyl'tsin to 25 years' deprivation of freedom and loss of rights for 5 years thereafter.(39) This was the most severe deprivation-of-freedom sentence reported for drunkenness.

c. Corrective Labor Camp (two sentences)

G. Turchenkov was driving his truck along Chistoprudnyy Boulevard, Moscow, at a speed of 60 kilometers per hour. His truck overtook a light Moskvich truck and struck it with such force that the Moskvich was thrown onto the sidewalk. Instead of stopping, Turchenkov increased his speed, and turned into Chernyshevskaya Street. As he rounded the corner he came upon a streetcar filled with people. Not slackening his speed, he drove onto the sidewalk and killed a woman who was standing there with a child in her arms. Still he did not stop. When he was apprehended, it was found that he was drunk. The Moscow City Court sentenced him to 25 years in a corrective labor camp.(40) Both this and the other reported corrective labor-camp sentence for drunkenness were for 25 years.

6. Hooliganism (ten sentences)

a. Imprisonment (one sentence)

On the evening of 4 October 1949, driver N. P. Ganin of "Metallshirpotrep" got drunk and went onto the dance floor of the Central Park of Culture and Rest imeni Lenin, Stalinabad. While there he insulted a number of the dancers. He approached Citizeness Molokanova and asked her to dance. She refused, whereupon he struck her. Arrested and brought before the People's Court, Second Section, Tsentral'nyy Rayon, Stalinabad, Tadzhik SSR, Ganin was found guilty of hooliganism and was sentenced to one year's imprisonment.(41)

b. Deprivation of Freedom (eight sentences)

While loading lumber onto the Norwegian ship Bestik in the port of Omega, on 25 August 1950, Besov, a worker, asked Larsen, first navigator of the ship, to point out which were the saw materials and where they should be stowed. In reply, Larsen struck Besov. The latter repeated the question and was again struck by Larsen. As a result of the second blow, Besov fell against a crane and injured his left side. When Besov expressed his indignation, Larsen seized him, tore his shirt, and attempted to strike him again. On 2 September 1950, the People's Court, First District, Onezhskiy Rayon, Arkhangel'sk Oblast, tried the case. The presiding judge was Ulovskiy; people's assessors were Sibirtseva and Veresovoy. Uyemlyanin prosecuted the case. The defendant was represented by a lawyer named Chebykin. Faced by the plaintiff and five other witnesses, Larsen pleaded guilty. He was sentenced to one year's deprivation of freedom for hooliganism.(42)

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The lightest deprivation-of-freedom sentence reported for hooliganism was 3 months; the most severe was 5 years. The latter was passed against one Kononov who was convicted of striking another man.(43) Kononov's case was reviewed by the collegium of the Supreme Court, Kazakh SSR, and the decision of the lower court was reversed.(44)

Under Ohio Law, the penalty for striking another, unlawfully, is a fine of not more than 200 dollars or imprisonment for not more than 6 months, or both. Under Federal law, the penalty for such a crime is a fine of not more than 500 dollars or imprisonment for not more than 6 months, or both.(45)

c. Corrective Labor (one sentence)

A People's Court sentenced one Podorov to one year's corrective labor for coming to work drunk and trying to kick another worker out of a railroad car.(46)

7. Robbery (nine sentences)

a. Imprisonment (four sentences)

Four men were convicted of killing a guard of the Stalinabad Leather Plant during a robbery. They were sentenced by the Stalinabad Oblast to 25 years' imprisonment with loss of electoral rights.(47)

Under Ohio law the penalty for killing while perpetrating a robbery is death by electrocution. Under Federal law the penalty for such a crime is death by hanging (US Code 18:452).(48)

The death penalty, which had been abolished in the USSR in 1947, was reinstituted for "traitors, spies, and subversive diversionists," by a decree of the Presidium of the Supreme Soviet USSR on 12 January 1950.(49)

b. Deprivation of Freedom (two sentences)

The Line Court of the Transcaucasus Railroad sentenced G. I. Mantashev to 9 years' deprivation of freedom with loss of rights for 4 years, for robbing a kolkhoz worker traveling on the Telavi-Tbilisi run.(50)

In Ohio the crime of taking a thing of value from another by force or putting in fear is punishable by imprisonment for not less than 10 years, and not more than 25 years (Ohio Code 12432).(51)

The Supreme Court, Lithuanian SSR, sentenced two brothers to 25 years' deprivation of freedom and confiscation of property for killing two women and seriously wounding a driver in the armed robbery of a store in Kaunas.(52)

c. Corrective Labor Camp (two sentences)

Two thieves were sentenced to 20 years in a corrective labor camp for robbing four women, one in an elevator, and three on the porches of their homes in Moscow.(53)

8. Contempt of Court (four sentences)

a. Imprisonment (two sentences)

The People's Court of Tiraspol'skiy Rayon, Moldavian SSR, ordered A. A. Vishnevskiy to pay alimony for the support of his two daughters. For the next 10 months he managed to conceal his place of employment from the court. He was sentenced to 2 years' imprisonment.(54)

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The disobeying of a lawful writ of a US court is punishable by a fine of not more than 1,000 dollars or by imprisonment for not more than 6 months, or both (US Code 28:387). The penalty for resisting a lawful writ of an Ohio court is a fine of not more than 500 dollars or imprisonment for 10 days, or both (Ohio Code 12137).(55)

V. P. Zotov was sentenced to 1½ years' imprisonment by the People's Court of Bendery, Moldavian SSR, for failure to pay alimony.(56)

b. Corrective Labor Camp (one sentence)

More than 10 years ago, M. Balyan abandoned his wife and daughter and disappeared. He was located several times, but consistently refused to pay for the support of his daughter. Furthermore, he categorically refused to see her. In 1938, a People's Court ordered Balyan to pay alimony. At first he complied with the court's order, but soon he reneged and changed his residence and place of work. He even went to different cities, staying 5 - 6 months in each. In 1947, he was again brought before the People's Court. Once more he was ordered to make regular payments for the support of his daughter. He was warned by the court that if he failed to fulfill his paternal duty, he would be indicted on the gravest charge. Still he refused to make the payments. A few days ago the case was brought before the People's Court, Second District, Dzerzhinskiy Rayon, Baku, Azerbaydzhan SSR. For malicious and systematic refusal to pay for the support of his daughter, Balyan was sentenced to 2 years in a corrective labor camp with deprivation of rights for 3 years after his release.(57)

c. Corrective Labor (one sentence)

The People's Court of Oknitskiy Rayon, Moldavian SSR, sentenced M. V. Tkacha to one year's corrective labor for failure to pay alimony.(58)

9. Violation of Kolkhoz Statutes (eight sentences)

Imprisonment (eight sentences)

Smagulov, chairman of the Kolkhoz imeni Kalinin, Kirovskiy Rayon, Taldy-Kurgan Oblast, Kazakh SSR, and Storekeeper Tolkimbekov, of the same kolkhoz unlawfully bartered 230 rams and goats and appropriated and squandered 1,726 kilograms of flour, 2,100 kilograms of wheat, and 21,996 rubles belonging to the kolkhoz. Faterin, deputy chairman of the Oblast Agricultural Administration, and Tokishev, instructor of the agriculture section of the oblast party committee, were sent to the Kolkhoz imeni Kalinin to investigate these alleged violations of kolkhoz statutes. Instead of revealing the criminals, they entered into relations with them, receiving as a bribe of 130 kilograms of flour and 10 kilograms of sugar, which were taken from the kolkhoz warehouse. The Taldy-Kurgan Oblast Court, circuit session, sentenced Smagulov to 10 years' imprisonment, and Tokishev, Faterin, and Tolkimbekov to 8 years' imprisonment.(59)

Under Ohio law, the penalty for embezzling or converting property in transit, with intent to defraud, is a fine plus not less than one year and not more than 4 years' imprisonment (Ohio Code 12470). Embezzlement of US property is punishable by a fine of not more than 5,000 dollars or imprisonment for 5 years, or both (US Code 18:100). The penalty for embezzling property of the State of Ohio, with intent to defraud, is punishable by a fine of twice the value of the money or property embezzled and imprisonment for not less than one year or not more than 21 years, plus removal from office of an official (Ohio Code 12880).(60)

The chairman of the Kolkhoz imeni Andreyev, Oktyabr'skiy Rayon, Tadzhik SSR, an accountant, and a store manager squandered money, cattle, and other property to the extent of 387,000 rubles. The chairman also engaged in speculation. He and another man opened a private dining hall under the auspices of the

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kolkhoz, and divided the profits. The chairman was sentenced to 20 years, the accountant to 15 years, the store manager to 8 years; and the partner in speculation to 6 years' imprisonment, all with deprivation of voting rights and confiscation of personal property.(61)

10. Divulging Military Secrets (two sentences)

Corrective Labor Camp (two sentences)

A. I. Rudakova, clerk in a military establishment, mailed a package containing military secrets. The package was incorrectly addressed and it was returned. Rudakova sent the package out again, failing to send it by registered mail. It was lost. A military tribunal sentenced her to 4 years in a corrective labor camp.(62)

Sergeant I. N. San'ko, in careless talk with civilians, divulged the name of his unit, number of personnel, its guard setup, and morale. Under the 9 June 1947 decree of the Presidium, Supreme Soviet USSR, on "Responsibility for Divulging State Secrets and for Loss of Documents Containing State Secrets," he was sentenced to 10 years in a corrective labor camp. Rudakova was sentenced under provisions of the same decree.(63)

11. Failure to Pay Taxes (two sentences)

Deprivation of Freedom (two sentences)

Oskar Mulli, of Tartu Volost, Estonian SSR, who owed the state 14,000 rubles in back agriculture taxes, was sentenced to one year's deprivation of freedom. Ida Lyubek, of Luun'ya Volost, was sentenced to one year's deprivation of freedom for failure to pay taxes.(64)

The failure to make a tax return or to obey a lawful order or requirement is punishable under Ohio law by forfeiture of property or fine of not less than 500 dollars and not more than 1,000 dollars, or both (Ohio Code 12924:1:2).(65) Under Federal law, the penalty for failing to account for and pay income tax is punishable by a fine of not more than 10,000 dollars or imprisonment for not more than 5 years, or both (US Code 26:145).(66)

12. Murder (one sentence)

Deprivation of Freedom (one sentence)

Sh. V. Malaguridze intended to enter the Tbilisi Industrial Technical School in the fall of 1948, but was not accepted because he did not have adequate preparation. He believed the reason for his rejection was the captiousness of S. G. Girgolashvili, chief of the student section of the school. In the summer of 1949, Malaguridze returned to Tbilisi, bent on entering the school at any cost. He was again rejected. Deciding to seek revenge against Grigolashvili, he followed, stabbed, and killed him. The People's Court, Second Section, Stalinskiy Rayon, Tbilisi, Georgian SSR, sentenced the murderer to 10 years' deprivation of freedom and loss of rights for 3 years after completion of the sentence.(67)

In Ohio the penalty for killing another, with deliberate and premeditated malice, is death by electrocution. (Ohio Code 12400) Under Federal Law, the penalty for such an offense is death by hanging (US Code 18:452).(68)

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13. Violation of Hunting Regulations (three sentences)

Corrective Labor at Place of Work (three sentences)

M. Kurov, G. Cherenkov, and N. Stepanov, all of Moscow, were given permission to shoot one moose in the woods of Vladimir Oblast. However, they did not observe this limit and killed two moose. The People's Court, Frunzenskiy Rayon, Moscow, sentenced each of the hunters, under Clause 86, Paragraph 1, Criminal Code RSFSR, to 6 months' corrective labor at place of work with deduction of 15 percent of their salaries. They were also fined 10,000 rubles -- the value of the moose -- which sum was turned over to the Hunting Department, Vladimir Oblast. (69)

The penalty for hunting in Ohio without a license is a fine of not less than 10 and not more than 50 dollars plus court costs. (70)

14. Bigamy (no sentence reported)

The chairman of the Inklobi Surkh Kolkhoz, Tadzhik SSR, was charged with criminal and party responsibility for having several wives and for destroying kolkhoz property. No sentence was reported. (71)

15. Rudeness to Wife (one sentence)

Fine

A brigade leader of the Inklobi Surkh Kolkhoz was fined 500 rubles for a rude attitude toward his wife. The Stalinabad Oblast Committee of the party has ordered the Gissarskiy Rayon Committee to improve its work against feudal remnants among the population. (71)

16. Failure Correctly to Diagnose Illness (two sentences)

Deprivation of Freedom (two sentences)

The Supreme Court, Moldavian SSR, under the chairmanship of Deputy Chairman L. G. Kotlyarov, sentenced Dr Kh. A. Aksel'rod to 2 years' deprivation of freedom, and Dr I. G. Shprintsen to one year's deprivation of freedom for failing properly to diagnose and treat a woman admitted to the Kishinev First Clinical Hospital. The woman died as a result of the doctors' negligence. (72)

E. Reported Cases Appealed

<u>Type</u>	<u>Appealed</u>	<u>Sustained</u>	<u>Reversed</u>
Embezzlement and Swindling	5	5	--
Hooliganism	<u>1</u>	<u>--</u>	<u>1</u>
Total	6	5	1

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